

APHC010717612025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3233]

MONDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 88/2026

Between:

- 1.TANUKU JAGADEESH, S/O.TANUKU NAGAIAH, AGED ABOUT 46 YEARS, OCC EMPLOYEE, R/O.D.NO.3-41, NAGIRIPALLI, PETHEGADA VILLAGE NAGIRIPALLI POST, KALIKIRI MANDAL, ANNAMAYYA DISTRICT.517234.
- 2.TANUKU SAILAJA,, W/O.TANUKU JAGADEESH, AGED ABOUT 36 YEARS, OCC HOUSEWIFE, R/O.D.NO.3-41, NAGIRIPALLI, PETHEGADA VILLAGE NAGIRIPALLI POST, KALIKIRI MANDAL, ANNAMAYYA DISTRICT.517234.

...PETITIONER(S)

AND

- 1.THE STATE OF AP, REP. BY THE PRINCIPAL SECRETARY, REVENUE (REGISTRATION AND STAMPS) DEPARTMENT, SECRETARIAT BUILDINGS, AT VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.522238
- 2.THE DISTRICT COLLECTOR, RAYACHOTI DIVISION, ANNAMAYYADISTRICT.517234.
- 3.THE SUB COLLECTOR, MADANAPALLL DIVISION, ANNAMAYYA DISTRICT.517234.
- 4.THE TAHSILDAR, KALIKLRI MANDAL, ANNAMAYYA DISTRICT.517234.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS action of respondents particularly respondents in insisting the petitioners to vacate from petitioners land an extent of Ac.4.74 cents i.e., Ac. 1.50 cents in Survey NO.87/1A and Ac.3.24 cents in Survey NO.87/1A/2 situated at Pathegada Village, Kalikiri Mandal, Annamayya District, without issuing any notice and without following any known procedure established by law as illegal, irregular, irrational, violative of principles of natural justice and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to interfere with petitioners' peaceful possession and enjoyment over the land and pass

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th respondent not to interfere with petitioners' peaceful possession and enjoyment petitioners land an extent of Ac.4.74 cents i.e., Ac.1.50 cents in Survey NO.87/1A and Ac.3.24 cents in Survey NO.87/1A/2 situated at Pathegada Village, Kalikiri Mandal, Annamayya District nor insist him to vacate therefrom, pending disposal of the above writ petition and pass

Counsel for the Petitioner(S):

1. VALLEPU REDDY NIKHIL GANESH

Counsel for the Respondent(S):

1. GP FOR REGISTRATION AND STAMPS

The Court made the following Order:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for the respondents.

2. This writ petition was filed questioning the action of the respondents in insisting the petitioners to vacate from lands of the petitioners to an extent of Ac.4.74 cents i.e., Ac.1.50 cents in Sy.No.87/1A and Ac.3.74 cents in Sy.No.87/1A/2 situated at Pathegada Village, Kalikiri Mandal, Annamayya District without issuing any notice and without following any known procedure established by law.

3. On the other hand, the learned Assistant Government Pleader relying upon the written instructions of the 4th respondent dated 02.02.2026 submits that the subject lands are assigned lands to various persons belonging to BPL families and the writ petitioners purchased the DKT land by violating DKT conditions. The petitioners are financially good and working as Panchayat Secretary in Somala Mandal (Peddaupparapalle Village) and acquired huge extents of the assigned lands in contravention to Section 3(2) of the A.P. Assigned Lands (POT) Act, 1977 and the same is null and void under Section 3(3) of the Act No.09 of 1977. The 4th respondent by virtue of authority under Section 4(i) of the Act No.09 of 1977 issued notices in Form-I & II under the provisions of Rule 3 of POT Rules, 2007 calling for written explanation from the petitioners scheduled on 23.01.2026 as to why the assignment

made over the subject lands shall not be cancelled and resumed to Government. Since the petitioners not attended the enquiry, the matter was adjourned to 07.02.2026. But the petitioners without attending the enquiry and without offering explanation, approached this court suppressing the facts. The petitioners are not landless poor persons to claim benefits under Section 3(5) of the Act No.09 of 1977. The learned Assistant Government Pleader further submits that if the petitioners submitted explanation, the same would be considered by following the due procedure by the 4th respondent.

4. In view of the above said facts and circumstances, the petitioners are permitted to submit their explanation enclosing all the necessary documents in support of their claim to the Form-I & II notices issued by the 4th respondent within a period of two (2) weeks from the date of receipt of this order. On receipt of such explanation from the petitioners, the 4th respondent shall consider and proceed with the necessary enquiry pursuant to the above said notices strictly in accordance with law by hearing all the parties concerned including the petitioners giving due opportunity, upon verification of the records and the subject lands, appropriate decision shall be taken on its own merits as expeditiously as possible, preferably within a period of four (4) months thereafter.

5. Accordingly, the writ petition is disposed of. The written instructions of the 4th respondent dated 02.02.2026 shall be made as

part of the court record. Interim order, if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

09.02.2026
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